

Ryan (WI)	Souder	Wamp
Sali	Stearns	Weldon (FL)
Schmidt	Sullivan	Weller
Sensenbrenner	Tancred	Westmoreland
Sessions	Terry	Whitfield
Shadegg	Thornberry	Wicker
Shays	Tiahrt	Wilson (NM)
Shimkus	Tiberi	Wilson (SC)
Shuster	Turner	Wolf
Simpson	Upton	Young (AK)
Smith (NE)	Walberg	Young (FL)
Smith (NJ)	Walden (OR)	
Smith (TX)	Walsh (NY)	

## NOT VOTING—17

Brown (SC)	Farr	Miller, George
Buyer	Ferguson	Peterson (MN)
Carter	Granger	Saxton
Cole (OK)	Meehan	Scott (GA)
Davis, Jo Ann	Meek (FL)	Waxman
Eshoo	Meeks (NY)	

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised 2 minutes remain in this vote.

□ 1349

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. COLE of Oklahoma. Mr. Speaker, I was unavoidably absent for rollcall vote 146 on H. Res. 239, the rule to provide for consideration of H.R. 985. Had I been present, I would have voted “nay.”

## THE JOURNAL

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the pending business is the question of agreeing to the Speaker's approval of the Journal of the last day's proceedings.

The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HASTINGS of Florida. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 265, nays 157, answered “present” 1, not voting 10, as follows:

[Roll No. 147]

## YEAS—265

Abercrombie	Boyd (KS)	Cooper
Ackerman	Brady (PA)	Costa
Allen	Braley (IA)	Costello
Andrews	Brown, Corrine	Courtney
Arcuri	Butterfield	Cramer
Baca	Cannon	Crenshaw
Baird	Capito	Crowley
Baldwin	Capps	Cuellar
Barrett (SC)	Capuano	Cummings
Bean	Cardoza	Davis (AL)
Becerra	Carnahan	Davis (CA)
Berkley	Carney	Davis (IL)
Berman	Carson	Davis, Lincoln
Berry	Castle	Davis, Tom
Bilirakis	Castor	DeFazio
Bishop (GA)	Chandler	DeGette
Bishop (NY)	Clarke	Delahunt
Blumenauer	Clay	DeLauro
Bono	Cleaver	Dent
Boren	Clyburn	Dicks
Boswell	Coble	Dingell
Boucher	Cohen	Doggett
Boyd (FL)	Conyers	Donnelly

Doyle	Kucinich	Reynolds	Manzullo	Pickering	Shadegg
Edwards	Lampson	Rodriguez	Marchant	Pitts	Shays
Ellison	Langevin	Ross	Matheson	Poe	Shuster
Ellsworth	Lantos	Rothman	McCarthy (CA)	Price (GA)	Smith (NE)
Emanuel	Larson (CT)	Roybal-Allard	McCotter	Pryce (OH)	Stearns
Engel	LaTourette	Ruppersberger	McHenry	Putnam	Stupak
Eshoo	Lee	Rush	McHugh	Radanovich	Sullivan
Etheridge	Levin	Ryan (OH)	McKeon	Ramstad	Terry
Farr	Lewis (GA)	Salazar	Melancon	Regula	Tiahrt
Fattah	Lipinski	Sanchez, Linda	Mica	Rehberg	Tiberi
Filner	Loeb	T.	Miller (FL)	Renzi	Udall (CO)
Forbes	Lofgren, Zoe	Sanchez, Loretta	Miller (MI)	Rogers (AL)	Upton
Fortenberry	Lowey	Sarbanes	Moran (KS)	Rogers (KY)	Walberg
Frank (MA)	Lynch	Schakowsky	Murphy, Tim	Rogers (MI)	Walden (OR)
Gerlach	Mack	Schiff	Musgrave	Rohrabacher	Walsh (NY)
Giffords	Mahoney (FL)	Schwartz	Myrick	Ros-Lehtinen	Wamp
Gillibrand	Maloney (NY)	Scott (GA)	Neugebauer	Ruskam	Weldon (FL)
Gillmor	Markey	Scott (VA)	Nunes	Royce	Weller
Gonzalez	Marshall	Serrano	Olver	Ryan (WI)	Westmoreland
Goodlatte	Matsui	Sestak	Pearce	Sali	Wilson (SC)
Gordon	McCarthy (NY)	Shea-Porter	Pence	Schmidt	Wolf
Green, Al	McCauley (TX)	Sherman	Perlmutter	Sensenbrenner	Young (AK)
Green, Gene	McCollum (MN)	Shimkus	Peterson (MN)	Sessions	Young (FL)
Gutierrez	McCrery	Shuler			
Hall (NY)	McDermott	Simpson			
Hall (TX)	McGovern	Sires			
Hare	McIntyre	Skelton			
Harman	McMorris	Slaughter			
Hastings (FL)	Rodgers	Smith (NJ)			
Hastings (WA)	McNerney	Smith (WA)			
Hayes	McNulty	Snyder			
Herse	Meek (FL)	Solis			
Higgins	Meeks (NY)	Souder			
Hill	Michaud	Space			
Hinches	Millender	Spratt			
Hinojosa	McDonald	Stark			
Hirono	Miller (NC)	Sutton			
Hodes	Miller, Gary	Tanner			
Hoekstra	Mitchell	Tauscher			
Holden	Mollohan	Taylor			
Holt	Moore (KS)	Thompson (CA)			
Honda	Moore (WI)	Thompson (MS)			
Hooley	Moran (VA)	Thornberry			
Hoyer	Murphy (CT)	Tierney			
Inslee	Murphy, Patrick	Towns			
Israel	Murtha	Turner			
Issa	Nadler	Udall (NM)			
Jackson (IL)	Napolitano	Van Hollen			
Jackson-Lee	Neal (MA)	Velázquez			
(TX)	Oberstar	Visclosky			
Jefferson	Obey	Walz (MN)			
Jindal	Ortiz	Wasserman			
Johnson (GA)	Pallone	Schultz			
Johnson (IL)	Pascarella	Waters			
Johnson, E. B.	Pastor	Watt			
Jones (NC)	Paul	Waxman			
Jones (OH)	Payne	Weiner			
Jordan	Peterson (PA)	Welch (VT)			
Kanjorski	Petri	Wexler			
Kaptur	Platts	Whitfield			
Keller	Pomeroy	Wicker			
Kennedy	Porter	Wilson (NM)			
Kildee	Price (NC)	Wilson (OH)			
Kilpatrick	Rahall	Woolsey			
Kind	Rangel	Wu			
Kirk	Reichert	Wynn			
Klein (FL)	Reyes	Yarmuth			

## NAYS—157

Aderholt	Chabot	Gohmert
Akin	Cole (OK)	Goode
Alexander	Conaway	Graves
Altmire	Cubin	Hastert
Bachmann	Culberson	Heller
Bachus	Davis (KY)	Hensarling
Baker	Davis, David	Hergert
Barrow	Deal (GA)	Hobson
Bartlett (MD)	Diaz-Balart, L.	Hulshof
Barton (TX)	Diaz-Balart, M.	Hunter
Biggert	Doolittle	Inglis (SC)
Bilbray	Drake	Johnson, Sam
Bishop (UT)	Dreier	Kagen
Blackburn	Duncan	King (IA)
Blunt	Ehlers	King (NY)
Boehner	Emerson	Kingston
Bonner	English (PA)	Kline (MN)
Boozman	Everett	Knollenberg
Boustany	Fallin	Kuhl (NY)
Brady (TX)	Feeney	LaHood
Brown-Waite,	Ferguson	Lamborn
Ginny	Flake	Larsen (WA)
Buchanan	Fossella	Latham
Burgess	Fox	Lewis (CA)
Burton (IN)	Franks (AZ)	Lewis (KY)
Buyer	Frelinghuysen	Linder
Calvert	Gallegly	LoBiondo
Camp (MI)	Garrett (NJ)	Lucas
Campbell (CA)	Gilchrest	Lungren, Daniel
Cantor	Gingrey	E.

## ANSWERED “PRESENT”—1

Tancred

## NOT VOTING—10

Brown (SC)	Grijalva	Smith (TX)
Carter	Meehan	Watson
Davis, Jo Ann	Miller, George	
Granger	Saxton	

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE.

The SPEAKER pro tempore (during the vote). Members are advised 2 minutes remain in this vote.

□ 1359

So the Journal was approved.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## PARLIAMENTARY INQUIRIES

Mr. WESTMORELAND. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore (Mr. McNULTY). The gentleman will state it.

Mr. WESTMORELAND. Mr. Speaker, I am sure you would like to join me in noting that clause 2(a) of rule XX provides that a recorded vote by electronic device shall not be held open for the sole purpose of reversing the outcome of such vote. On the previous question vote, Rollcall Vote No. 145, I would hope that you would agree that at the expiration of time for this vote the noes were prevailing. Is that true?

□ 1400

The SPEAKER pro tempore. The gentleman is correct that that particular clause says that a vote may not be held open for the sole purpose of changing an outcome.

In this case, the vote remained open to allow all Members to vote.

Mr. WESTMORELAND. Further parliamentary inquiry.

The SPEAKER pro tempore. The gentleman may state his inquiry.

Mr. WESTMORELAND. Could the Speaker tell me when an instance of the vote being held open would reverse the outcome if it is not when the “nays” are prevailing against the “yeas,” or the “yeas” prevailing against the “nays,” and the majority wants the outcome to be the exact opposite?

The SPEAKER pro tempore. The Chair is not going to respond to a hypothetical question.

Mr. WESTMORELAND. Sir, that is not a hypothetical.

#### PARLIAMENTARY INQUIRY

Mr. WESTMORELAND. Parliamentary inquiry.

The SPEAKER pro tempore. The gentleman may state a parliamentary inquiry.

Mr. WESTMORELAND. I am asking you a question about the House rules. If I am not correct, further parliamentary inquiry, you are the arbitrator of those rules; is that true?

The SPEAKER pro tempore. The gentleman is correct that the Chair may describe pending parliamentary situations.

Mr. WESTMORELAND. Further parliamentary inquiry. According to clause 2(a) of rule XX, it says that a recorded vote by electronic device shall not be held open for the sole purpose of reversing the outcome of such vote.

Mr. Speaker, my parliamentary inquiry to you is: When would this rule apply to a vote where, at the end of the time, the outcome was different than what the majority wanted it to be?

The SPEAKER pro tempore. The Chair would advise the gentleman that the rules address the duration of votes in terms of minimum times; 15 minutes is a minimum time, not the maximum. A vote ultimately is called at the Chair's discretion, trying to accommodate all Members who wish to vote.

Mr. WESTMORELAND. Further parliamentary inquiry, Mr. Speaker.

We are talking about a single vote. We are talking about the previous question vote, rolcall No. 145, which was held open past the 15-minute mark to change the outcome. If clause 2(a) of rule XX does not apply to that, what would it apply to?

The SPEAKER pro tempore. The Chair is prepared to elucidate as follows:

It is true that under clause 2(a) of rule XX, a vote by electronic device "shall not be held open for the sole purpose of reversing the outcome of such vote."

In conducting a vote by electronic device, the Chair is constrained to differentiate between activity toward the establishment of an outcome on the one hand, and activity that might have as its purpose the reversal of an already-established outcome, on the other.

The Chair also must be mindful that, even during a vote by electronic device, Members may vote by card in the well. So long as Members are recording their votes—even after the minimum period prescribed for a given question—the Chair will not close a vote to the disenfranchisement of a district whose representative is trying to vote.

Mr. WESTMORELAND. Further parliamentary inquiry.

The SPEAKER pro tempore. The gentleman may state his inquiry.

Mr. WESTMORELAND. Mr. Speaker, what you just read, is that in the rules?

The SPEAKER pro tempore. That is the Chair's elucidation of the rule.

Mr. WESTMORELAND. So it is the Chair's interpretation of the rule, of clause 2(a) of rule XX; it is the Chair's interpretation that the vote can be held open to reverse the outcome of the vote?

The SPEAKER pro tempore. The statement of the Chair speaks for itself. It is the responsibility of the Chair to see to it that each and every Member of the House of Representatives who responds to the vote has a chance to record his or her vote.

Mr. WESTMORELAND. Further parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may state his inquiry.

Mr. WESTMORELAND. Could the Speaker answer me why we have a time limit on votes?

The SPEAKER pro tempore. The 15-minute time period is not a limit. It is a minimum duration. After that, it is in the discretion of the Chair in order to allow all Members a reasonable opportunity to vote.

#### MOTION TO ADJOURN

Mr. WESTMORELAND. Mr. Speaker, I move we adjourn.

The SPEAKER pro tempore. The question is on the motion to adjourn offered by the gentleman from Georgia (Mr. WESTMORELAND).

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

#### RECORDED VOTE

Mr. WESTMORELAND. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 142, noes 258, not voting 33, as follows:

[Roll No. 148]

AYES—142

Aderholt	Crenshaw	Inglis (SC)
Akin	Culberson	Jindal
Alexander	Davis (KY)	Jordan
Bachmann	Davis, David	Keller
Bachus	Davis, Tom	King (IA)
Baker	Dent	King (NY)
Barrett (SC)	Diaz-Balart, L.	Kingston
Barton (TX)	Diaz-Balart, M.	Kirk
Biggert	Doolittle	Kline (MN)
Bilbray	Drake	Knollenberg
Bilirakis	Duncan	Lamborn
Bishop (UT)	Ehlers	Latham
Blackburn	Emerson	LaTourette
Blunt	English (PA)	Lewis (KY)
Boehner	Fallin	Lucas
Bonner	Fattah	Lungren, Daniel E.
Bono	Feeney	Manzullo
Boozman	Ferguson	Marchant
Boustany	Fossella	McCarthy (CA)
Brown-Waite,	Fox	McCaul (TX)
Ginny	Franks (AZ)	McCotter
Buchanan	Gallegly	McHenry
Burgess	Garrett (NJ)	McMorris
Burton (IN)	Gerlach	Rodgers
Buyer	Gilchrest	Mica
Calvert	Gingrey	Miller (MI)
Campbell (CA)	Gohmert	Miller, Gary
Cannon	Goodlatte	Murphy, Tim
Cantor	Graves	Musgrave
Capito	Hastert	Myrick
Carter	Hayes	Neugebauer
Castle	Heller	Nunes
Coble	Hensarling	Paul
Cole (OK)	Hobson	Pearce
Conaway	Hunter	

Pence	Ros-Lehtinen	Thornberry
Pickering	Roskam	Tiahrt
Pitts	Sali	Tiberi
Poe	Schmidt	Upton
Porter	Sensenbrenner	Walberg
Price (GA)	Sessions	Walden (OR)
Putnam	Shays	Westmoreland
Regula	Shimkus	Wicker
Rehberg	Shuster	Wilson (NM)
Reichert	Smith (NE)	Wilson (SC)
Renzi	Smith (TX)	Wolf
Reynolds	Sullivan	Young (FL)
Rogers (MI)	Tancredo	
Rohrabacher	Terry	

#### NOES—258

Abercrombie	Gutierrez	Murphy (CT)
Allen	Hall (NY)	Murphy, Patrick
Altmire	Hall (TX)	Murtha
Andrews	Hare	Nadler
Arcuri	Harman	Napolitano
Baca	Hastings (FL)	Neal (MA)
Baird	Herger	Oberstar
Baldwin	Herse	Obey
Barrow	Higgins	Ortiz
Bartlett (MD)	Hill	Pallone
Bean	Hinchey	Pascrell
Becerra	Hinojosa	Pastor
Berkley	Hirono	Payne
Berman	Hodes	Perlmutter
Berry	Hoekstra	Peterson (MN)
Bishop (GA)	Holden	Peterson (PA)
Bishop (NY)	Holt	Petri
Blumenauer	Honda	Platts
Boren	Hooey	Pomeroy
Boswell	Hoyer	Price (NC)
Boucher	Inslee	Pryce (OH)
Boyd (FL)	Israel	Rahall
Brady (PA)	Issa	Ramstad
Brady (TX)	Jackson (IL)	Rangel
Braley (IA)	Jackson-Lee	Reyes
Brown, Corrine	(TX)	Rodriguez
Butterfield	Johnson (GA)	Rogers (KY)
Capuano	Johnson (IL)	Ross
Cardoza	Johnson, E. B.	Rothman
Carnahan	Jones (NC)	Roybal-Allard
Carney	Jones (OH)	Royce
Carson	Kagen	Ruppersberger
Castor	Kanjorski	Rush
Chabot	Kaptur	Ryan (OH)
Chandler	Kennedy	Salazar
Clarke	Kildee	Sanchez, Linda T.
Clay	Kilpatrick	Sanchez, Loretta
Cleaver	Kind	Sarbanes
Clyburn	Klein (FL)	Schakowsky
Cohen	Kucinich	Schiff
Conyers	Kuhl (NY)	Schwartz
Cooper	Lampson	Scott (GA)
Costa	Langevin	Scott (VA)
Costello	Lantos	Serrano
Courtney	Larsen (WA)	Sestak
Cramer	Lee	Shea-Porter
Crowley	Levin	Sherman
Cubin	Lewis (CA)	Shuler
Cuellar	Lewis (GA)	Simpson
Cummings	Lipinski	Sires
Davis (AL)	LoBiondo	Skelton
Davis (CA)	Loeb	Slaughter
Davis (IL)	Loftgren, Zoe	Smith (NJ)
Davis, Lincoln	Lowey	Smith (WA)
DeFazio	Lynch	Snyder
DeGette	Mahoney (FL)	Solis
DeLauro	Maloney (NY)	Souder
Dingell	Markey	Space
Doggett	Marshall	Spratt
Donnelly	Matheson	Stearns
Doyle	Matsui	Stupak
Dreier	McCarthy (NY)	Sutton
Edwards	McCollum (MN)	Tanner
Ellison	McDermott	Tauscher
Ellsworth	McGovern	Taylor
Emanuel	McHugh	Thompson (CA)
Engel	McIntyre	Thompson (MS)
Eshoo	McKeon	Tierney
Etheridge	McNerney	Towns
Everett	McNulty	Turner
Filner	Meek (FL)	Udall (CO)
Fortenberry	Meeks (NY)	Udall (NM)
Frank (MA)	Melancon	Van Hollen
Frelinghuysen	Michaud	Velázquez
Giffords	Millender	Vislosky
Gillibrand	McDonald	Walsh (NY)
Gillmor	Miller (NC)	Walz (MN)
Gonzalez	Mitchell	Wamp
Goode	Mollohan	Wasserman
Gordon	Moore (KS)	Schultz
Green, Al	Moore (WI)	Waters
Green, Gene	Moran (KS)	Watson
Grijalva	Moran (VA)	